

# **Department of Public Safety Agency Review**

## **Study Assignment**

An agency review of the Department of Public Safety, pursuant to SDCL 1-26E-2.

## **Summary of Interim**

The 2005 Department of Public Safety Agency Review Committee met three times over three days at the State Capitol in Pierre. The Committee heard detailed descriptions of each division of the department. They posed extensive questions and reviewed and questioned the answers to them. The committee took public testimony and they delved into specific issues.

The first meeting of the interim committee was held on Friday, June 10, 2005, at the State Capitol in Pierre. The meeting was devoted to hearing detailed presentations of the department and each division of the department. The Department of Public Safety includes the Highway Patrol, Accident Records, Highway Safety, State Radio, Emergency Management, Emergency Medical Services, Fire Marshal, Weights and Measurers Inspection Program, Driver Licensing and Homeland Security. Secretary Tom Dravland began with an overview of the department, its mission and an introduction of key personnel. He stated the department's mission is "to keep South Dakota a safe place in which to live, work, visit and raise a family." Secretary Dravland also discussed the creation of the department by the Executive reorganization in 2003. He was followed by members of his management team, who described the functions carried out by their individual divisions and the current and future goals.

The second meeting was held on Monday, August 29, 2005, at the State Capitol in Pierre. The second meeting began with a continuation of the first meeting. The morning was spent discussing the division of Homeland Security including extensive questions about Homeland Security Grants. The state's Homeland Security office deals directly with state agencies, the sixty-six counties, and the nine tribal governments. They have some interaction with cities; however, the cities usually work through county government. The committee discussed the idea of a regionalized Homeland Security concept with a lead county. The committee and department also discussed the theory that data protection may become a higher priority. Following an addition to the agenda, the topic of the new federal driver's license act was discussed. The department briefed the committee on the REAL ID Act of 2005 – "Improved Security for Driver's License and Personal Identification Cards" that was signed by President Bush in May 2005. The department stated that South Dakota is in compliance with several of the requirements; however, there are still many unknowns regarding the Act. At this meeting the department also responded to the follow-up questions from the first meeting as well as many new questions during the second meeting. Additionally, the department provided an overview of the department goals, the functions to implement them and measurement criteria. The committee took testimony from the public on the experience they have had with the department on a variety of issues.

The third meeting was held on Monday, October 24, 2005, at the State Capitol in Pierre. The committee reviewed research and comparison materials regarding salaries and recruitment within the Highway Patrol. The committee compared the salaries of four South Dakota cities and twenty-five states with emphasis on the surrounding states for the positions of Trooper, Sergeant and Major. The department also provided turnover rates and statistics for its positions of Trooper, Sergeant and Lieutenant. Following an extensive question and answer session, the committee concluded the salaries did not appear inadequate at this time and

turnover rates are lower now than in years past. The committee asked the department to respond to two items added to the agenda. First the department further discussed its readiness to respond to large-scale disasters and the lessons learned from the recent Gulf Coast disasters. Additionally, the department addressed the issue of preparedness to handle a possible pandemic from the avian flu or human flu threats. The state's ability to respond is directly related to the level of training of responders and the public. Secretary Dravland indicated that cabinet members will be trained in incident command and all legislators should know the basics of emergency response. The committee went on to discuss the state's DUI system and statistics and results of a recent national study. The idea of forming a Work Group/Task Force to perform a comprehensive study of the state's current DUI enforcement and prosecution system was discussed by the committee and department. This type of group would at least include representatives in the areas of law enforcement, human services, and the judicial system. Secretary Dravland indicated his intent to discuss the idea of forming such a group with the administration.

At its conclusion, the committee recommended that members support the repeal of implied consent legislation during the 2006 Legislative session.

The committee further recommends that the department be continued; having found the department met the burden of establishing sufficient public need is present to justify its continued existence.

### **Summary of Meeting Dates & Places and Listing of Committee Members**

The committee met at the State Capitol in Pierre on June 10, 2005; August 29, 2005; and October 24, 2005.

Committee members were: Representative Gordon Pederson, Chair; Senator Dick Kelly, Vice Chair; Senators Gene Abdallah, J. P. Duniphan, and Frank Kloucek; and Representatives Jim Bradford, Michael Buckingham, Thomas Hennies, Jean Hunhoff, Shantel Krebs, Kathy Miles, Val Rausch, Donna Schafer, R. Shawn Tornow, and Mark Willadsen.

Committee staff members were: Sue Cichos, Senior Fiscal Analyst; and Kris Schneider, Legislative Secretary.